

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RONIT KNIGHT

VS.

CAMERON COOPER AND  
CENTRAL HAULING COMPANY, INC.

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§  
§

5:17-cv-00234

JURY DEMANDED

**DEFENDANT'S NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:

Please take notice that DEFENDANT CAMERON COOPER, hereinafter "Defendant," hereby removes to the Court the State Court action described below, pursuant to 28 U.S.C. §§1332(a)(1), 1441(b)(1) and 1446. In support of the removal and in accordance with codified requirements of 28 U.S.C. §1446(a), (b)(1), Defendant states as follows:

1. Defendant is defendant in a civil action brought on January 27, 2017, styled *Ronit Knight vs. Cameron Cooper and Calark, Inc.*; Cause No. 2017CI01609 in the 407th Judicial District Court of Bexar County, Texas. Pursuant to the provisions 28 U.S.C. §§1441 and 1446, Defendant removes this action to the United States District Court for the Western District of Texas, San Antonio Division, which is the judicial district and division in which the action is pending.

2. PLAINTIFF RONIT KNIGHT, hereinafter "Plaintiff," contends in the State Court civil action that he suffered injuries and damages resulting from a motor vehicle collision on June 30, 2015. A copy of Plaintiff's Original Petition and Request for Disclosure to Defendants in the State Court civil action is attached hereto as Exhibit "A."

3. On March 20, 2017, Defendant filed his Original Answer in the State Court civil action. A copy is herein attached as Exhibit "B."

4. On March 9, 2017, Plaintiff filed his First Amended Original Petition and Request for Disclosure to Defendants, and a copy attached hereto as Exhibit “C.”

5. Defendant has attached all process, pleadings, and orders in the State Court action which have been served upon them, as required by 28 U.S.C. §1446(a), as Exhibit “D.”

### **JURISDICTION AND VENUE**

6. The action is a civil action of which this Court has original jurisdiction under Title 28 U.S.C. §1332 (Diversity Jurisdiction), and is one which may be removed to this Court pursuant to Title 28 U.S.C. §1441. There is complete diversity of citizenship amongst the parties.

7. Plaintiff is an individual residing in Huntington, Sebastian County, Arkansas. *See* Exhibit “A.”

8. At the time suit was filed, and at the time of this removal action, Defendant was an individual residing in Jackson, Hinds County, Mississippi. Plaintiff’s Texas citizenship is diverse to Defendant’s Mississippi citizenship. *Id.*

9. The Defendant consents to this removal action.

10. Venue is proper in the Western District of Texas, San Antonio Division, because this district and division embrace Bexar County, Texas, the place in which the State Court action is pending.

11. The amount in controversy exceeds the sum of Seventy-Five Thousand and 00/100 Dollars (\$75,000.00), exclusive of interest and costs. Plaintiff alleges damages and monetary relief not to exceed Three Hundred Fifty Thousand and no/100 Dollars (\$350,000.00). *Id.*

12. This Notice of Removal is filed within 30 days of Defendant’s receipt of the Plaintiff’s Original Petition and Request for Disclosure to Defendants, and within one year of the commencement of the action, so it is timely filed under 28 U.S.C. §1446 (b)(3), (c).

13. Additionally, this court would have original subject matter jurisdiction of this action under the provisions of 28 U.S.C. §1332 if the action had originally been brought in Federal Court. Accordingly, Defendant may properly remove the State Court action pursuant to 28 U.S.C. § 1441.

14. Pursuant to 28 U.S.C. §1446(d), Defendant served written notice on Plaintiff of the filing of this Notice of Removal and has also served a true and correct copy with the State Court, as required by 28 U.S.C. §1446(d).

Respectfully Submitted,

**DAVID KLOSTERBOER & ASSOCIATES**  
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By: /s/ Christopher L. Rhodes  
CHRISTOPHER L. RHODES  
State Bar No. 16812750

**ATTORNEY FOR DEFENDANT**  
**CAMERON COOPER**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 22, 2017, I electronically filed the foregoing with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of below in the manner specified, either via CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic filing.

Karl B. Brock  
Brock & Brock, PC  
803 E. Mistletoe  
San Antonio, Texas 78212

**Via Facsimile: (210) 733-6893**

/s/ Christopher L. Rhodes  
CHRISTOPHER L. RHODES